

SIKKIM

GOVERNMENT  **GAZETTE**

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GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No.20/ LD/ P/ 11

Date: 11/01/2012

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 2nd Day of January, 2012.

THE SIKKIM ONLINE GAMING (REGULATION) AMENDMENT ACT, 2011
(ACT NO. 20 OF 2011)

AN
ACT

further to amend the Sikkim Online Gaming (Regulation) Act, 2008 (23 of 2008).

BE it enacted by the Legislature of Sikkim in the Sixty-second Year of the Republic of India as follows :-

**Short title and
Commencement**

1. (1) This Act may be called the Sikkim Online Gaming (Regulation) Amendment Act, 2011.
- (2) It shall come into force at once.

**Amendment of
section 2.**

2. In the Sikkim Online Gaming (Regulation) Act, 2008 (hereinafter referred to as the principal Act), in section 2, after clause (b), the following clause shall be inserted, namely:-

“(bb) “Authority” means and includes such body consisting of such officials both technical as well as administrative and legal as may be constituted by the State Government.”

**Insertion of
section 12 A
after section 12.**

3. In the principal Act, after section 12, the following section shall be inserted, namely:-

“12 A. Appeal against order of the Authorized Officer.

- (1) Any person aggrieved by an order of the authorized officer may prefer an appeal to such officer not below the rank of Secretary to the State Government as the State Government may by notification appoint under clause (b) of section 2.
- (2) Subject to the provisions of sections 4 to 9 and 12, an appeal shall lie from every order of the Authorized Officer under the Act to the Appellate Authority appointed by the Government under sub - section (1).
- (3) Every such appeal shall be preferred within 60 (sixty) days from the date of communication of the order.
- (4) The appellant shall have a right to appear through a counsel and the Authorized Officer and Department may be represented by such officer or person or a counsel as the Government may appoint.
- (5) On the receipt of any such appeal, the Appellate Authority shall give the appellant and respondent a reasonable opportunity of being heard and after making such inquiry as it deems proper, dispose of the appeal for reason to be recorded.
- (6) The proceeding before the Appellate Authority shall be completed within four months of its institution."

***Insertion of
section 12 B***

4. In the principal Act, after section 12 A, the following section shall be inserted, namely:-

"12 B. Authority for overseeing online gaming etc.

The Authority constituted by the State Government under clause (bb) of section 2 shall oversee and regulate the functions of gaming Organizations/Companies involved in on-line games and sports."

**R.K. Purkayastha, SSJS
L.R -cum-Secretary,
Law Department.**

File No. 16 (82) LD/77-12